

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

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|-------------------------------|---|-------------------|
| DALLAS MARTIN, |) | |
| |) | |
| Plaintiff, |) | |
| vs. |) | NO. CIV-18-0260-M |
| |) | |
| NANCY A. BERRYHILL, |) | |
| Acting Commissioner of Social |) | |
| Security Administration, |) | |
| |) | |
| Defendant. |) | |

ORDER

In this action, plaintiff seeks judicial review of the final decision of defendant Commissioner of Social Security Administration (“Commissioner”) denying plaintiff’s application for disability insurance benefits under Title II of the Social Security Act, 42 U.S.C. §§ 401-434. On November 8, 2018, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation recommending that the Commissioner’s decision be affirmed. The parties were advised of their right to object to the Report and Recommendation by November 28, 2018.

Neither party objected to the Report and Recommendation. Therefore, the parties have waived their rights to appellate review of the factual and legal issues it addressed. Cassanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010). Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #25] and **AFFIRMS** the decision of the Commissioner.

IT IS SO ORDERED.

Dated this 3rd day of December, 2018.



JOE HEATON
CHIEF U.S. DISTRICT JUDGE